

Superseded 5/10/2016

17C-1-204 Urban renewal, economic development, and community development by an adjoining agency -- Requirements.

- (1) An agency or community may, by resolution of its board or legislative body, respectively, authorize an agency to conduct urban renewal, economic development, or community development activities in a project area that includes an area within the authorizing agency's boundaries or within the boundaries of the authorizing community if the project area or community is contiguous to the boundaries of the other agency.
- (2) If an agency board or community legislative body adopts a resolution under Subsection (1) authorizing another agency to undertake urban renewal, economic development, or community development activities in the authorizing agency's project area or within the boundaries of the authorizing community:
 - (a) the other agency may act in all respects as if the project area were within its own boundaries;
 - (b) the board of the other agency has all the rights, powers, and privileges with respect to the project area as if it were within its own boundaries; and
 - (c) the other agency may be paid tax increment funds to the same extent as if the project area were within its own boundaries.
- (3) Each project area plan approved by the other agency for the project area that is the subject of a resolution under Subsection (1) shall be adopted by ordinance of the legislative body of the community in which the project area is located.
- (4)
 - (a) As used in this Subsection (4):
 - (i) "County agency" means an agency that was created by a county.
 - (ii) "Industrial property" means private real property:
 - (A) over half of which is located within the boundary of a town, as defined in Section 10-1-104; and
 - (B) comprises some or all of an inactive industrial site.
 - (iii) "Perimeter portion" means the portion of an inactive industrial site that is:
 - (A) part of the inactive industrial site because it lies within the perimeter described in Subsection 17C-1-102(24)(b); and
 - (B) located within the boundary of a city, as defined in Section 10-1-104.
 - (b)
 - (i) Subject to Subsection (4)(b)(ii), a county agency may undertake urban renewal, economic development, or community development on industrial property if the record property owner of the industrial property submits a written request to the county agency to do so.
 - (ii) A county agency may not include a perimeter portion within a project area without the approval of the city in which the perimeter portion is located.
 - (c) If a county agency undertakes urban renewal, economic development, or community development on industrial property:
 - (i) the county agency may act in all respects as if the project area that includes the industrial property were within the county agency's boundary;
 - (ii) the board of the county agency has each right, power, and privilege with respect to the project area as if the project area were within the county agency's boundary; and
 - (iii) the county agency may be paid tax increment to the same extent as if the project area were within the county agency's boundary.
 - (d) A project area plan for a project on industrial property that is approved by the county agency shall be adopted by ordinance of the legislative body of the county in which the project area is located.

